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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 RICHARD A. CONNORS, an individual,
12 Plaintiff,
13 v.

14 HOMELOAN CORP., dba EXPANDED
15 MORTGAGE CREDIT, a Texas
16 Corporation, MORTGAGE ELECTRONIC
17 REGISTRATION SYSTEMS, a Delaware
18 Corporation, U.S. BANK NATIONAL
19 ASSOCIATION as trustee for CREDIT
20 SUISSE FIRST BOSTON HEAT-2005-2,
AMERICA'S SERVICING COMPANY,
CAL-WESTERN RECONVEYANCE
CORP., a California Corporation,
Defendants.

Case No. 3:08- CV-01134 -L- LSP

**ORDER GRANTING JOINT
MOTION FOR ORDER OF NON-
MONETARY JUDGMENT AS TO
DEFENDANT CAL-WESTERN
RECONVEYANCE CORP.**
[doc. #15]

21 Plaintiff RICHARD A. CONNORS ("Plaintiff") and Defendant CAL-WESTERN
22 RECONVEYANCE CORP ("CWRC"), by and through their respective counsel, have
23 submitted a joint motion in which Plaintiff acknowledges and agrees that CWRC has been
24 named as a defendant in this litigation solely in its capacity as a trustee under the Deed of
25 Trust and that it has not been named as a Defendant due to any acts or omissions on its part
26 in the performance of its duties as trustee.

27 CWRC has agreed to be bound by whatever order or judgment is issued by the Court
28 and Plaintiff has agreed that CWRC shall not be subject to any monetary awards, damages,


1 attorney's fees or costs.

2 Good cause appearing, the parties' joint motion is **GRANTED**. Accordingly, **IT IS**
3 **ORDERED** that:

4 CWRC has been named as a defendant in this litigation solely in its capacity as a
5 trustee under the deed of trust that is the subject of Plaintiff's first amended complaint and
6 that CWRC has not been named as a defendant due to any acts or omissions on its part in the
7 performance of its duties as trustee. CWRC has not been involved in any way with the
8 property that is the subject of Plaintiff's first amended complaint, except in CWRC's
9 capacity as the trustee under the deed of trust. CWRC shall be bound by whatever order or
10 judgment is issued by the Court and shall not be subject to any monetary awards for
11 damages, attorney's fees or costs. CWRC will not be required to respond to any of the
12 pleadings in this action, and will not be required to appear at any hearings, or the trial in this
13 matter. This Order shall not prejudice the rights of any trustor, beneficiary, or assignee under
14 the deed of trust, and the joint motion does not constitute a waiver of any other person or
15 entity's rights or obligations under the deed of trust. This Order shall inure to the benefit of
16 Plaintiff and CWRC and their successors and/or assigns.

17 **IT IS SO ORDERED.**

18 DATED: July 17, 2008

19 
20 M. James Lorenz
United States District Court Judge

21 COPY TO:

22 HON. LEO S. PAPAS
23 UNITED STATES MAGISTRATE JUDGE

24 ALL PARTIES/COUNSEL
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